

EXHIBIT 25

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

USAMA JAMIL HAMAMA, et al.,

Petitioners and Plaintiffs,

v.

REBECCA ADDUCCI, et al.,

Respondents and Defendants.

Case No. 2:17-cv-11910
Hon. Mark A. Goldsmith
Mag. David R. Grand
Class Action

DECLARATION OF ARASH JAHANIAN

I, Arash Jahanian, make this statement under the penalties of perjury of the laws of the United States and if called to testify I could and would do so competently based upon my personal knowledge as follows:

1. I am a lawyer admitted to practice in the state of Colorado. I have been in regular contact with Gavan Alkadi, a class member in this matter, and his immigration counsel since August 9, 2017. Mr. Alkadi previously signed a declaration dated August 25, 2017 that was filed in this case on August 30, 2017 [ECF No. 94-6].
2. Mr. Alkadi was born in 1960 in Kurdistan, Iraq. He and his family fled to Iran when he was a small child to escape persecution.
3. In Iran, Mr. Alkadi was jailed and brutally tortured from age 13 to 16, as authorities continued to [REDACTED]. Mr. Alkadi came to the United States as a refugee on July 8, 1976, and his grandfather was killed thereafter.
4. On October 5, 2005, the Board of Immigration Appeals ordered Mr. Alkadi removed to Iraq.
5. At the time, removal could not be effectuated to Iraq. For this reason, Immigration and Customs Enforcement (ICE) granted Mr. Alkadi a stay of removal and placed him on an order of supervision.
6. ICE arrested and redetained Mr. Alkadi on June 23, 2017. Since then, Mr. Alkadi has been detained at the Denver Contract Detention Facility operated by the GEO Group in Aurora, Colorado.

7. Mr. Alkadi was issued a Notice to Alien of File Custody Review, which represented that his custody status would be reviewed on or about September 6, 2017.
8. Mr. Alkadi told me that his Deportation Officer, Joseph Walker, made statements to Mr. Alkadi to the effect of: "I'm going to do everything in my power to have you deported, and even if they let you stay here 90 days, I'm going to keep you here even longer. You're not going anywhere. You're a dangerous man, and we're keeping you here."
9. Mr. Alkadi retained immigration counsel and filed a Motion to Reopen with the BIA on August 13, 2017. Mr. Alkadi is a converted Christian and an ethnic Kurd, thus part of two different groups currently being persecuted by ISIS. The BIA has not ruled on the motion.
10. After September 6, 2017, Mr. Alkadi was not released from custody. His immigration counsel made repeated requests to ICE for written confirmation of the denial of his custody review, but did not receive one.
11. Mr. Alkadi told me that in October, numerous ICE officials represented to Mr. Alkadi that his time in detention was not counting toward any period of time for review of his custody due to the order staying his removal in this matter. They included Officer Walker, another Officer named Haight who filled in at points as Mr. Alkadi's Deportation Officer, and an ICE supervisor named Thompson.
12. On October 31, 2017, Mr. Alkadi's immigration counsel once again requested a written decision on his custody review, this time directly with Acting Assistant Field Office Director Tracey Cammorto.
13. That afternoon, Ms. Cammorto replied, via email: "Mr. Alkadi will not receive a 90 day review as he received one in 2006. He was taken into ICE custody for removal but the review will not occur again. The Officer that served him paperwork for the review was incorrect in doing so." A copy of this email correspondence is attached as an exhibit to this Declaration.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Executed this 6th day of November, 2017 in Denver, Colorado.

Signature

A handwritten signature in blue ink, consisting of stylized cursive letters, is written over a horizontal line.

From: Cammorto, Tracey L Tracey.L.Cammorto@ice.dhs.gov
Subject: RE: Request for written decision regarding Gavan Alkadi's (A [REDACTED]) 90-day custody review?
Date: October 31, 2017 at 2:25 PM
To: Anna Rodgers anna@mckinleylegal.com
Cc: Black, Nichole Nichole.Black@ice.dhs.gov, Arash Jahanian ajahanian@aclu-co.org, Ian McKinley ian@mckinleylegal.com

CT

Ms. Rodgers,

Officer Black is not the case Officer for your client, it is Officer Walker. He's out of the office for a few weeks however; I will address your concern. Mr. Alkadi will not receive a 90 day review as he received one in 2006. He was taken into ICE custody for removal but the review will not occur again. The Officer that served him paperwork for the review was incorrect in doing so.

Tracey Cammorto
Acting Assistant Field Office Director
DHS/ICE/ERO/GEO
3130 North Oakland St.
Aurora, CO 80010
(303) 361-0723 Ext. 130 (desk)
(720) 354-6624 (cell)

From: Anna Rodgers [<mailto:anna@mckinleylegal.com>]
Sent: Tuesday, October 31, 2017 12:52 PM
To: Cammorto, Tracey L
Cc: Black, Nichole; Arash Jahanian; Ian McKinley
Subject: Re: Request for written decision regarding Gavan Alkadi's (A [REDACTED]) 90-day custody review?

Hi Tracey,

Ian McKinley and Tiago Guevara have attempted to contact Officer Black regarding Gavan Alkadi's 90 day custody review. To date neither Mr. Alkadi nor my office have received any written decision or correspondence on the matter. Would you please advise as to the custody status of this individual. As you are probably aware the ACLU is working closely with our office and other attorneys around the country regarding Iraqi nationals currently in ICE custody (re: *Hamada v. Adducci*). The BIA is in receipt of Mr. Alkadi's motion to reopen, which still currently pending with the Board.

As always, thank you for your time!

Kind Regards,

Anna R. Rodgers, Esq.

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On Sep 22, 2017, at 9:23 AM, Ian McKinley <ian@mckinleylegal.com> wrote:

Hello Officer Black,

Can you please email me a copy of the written decision regarding Mr. Alkadi's 90-day custody review?

Thanks,
Ian

<Notice of Alien of File Custody Review (Al Kadi).pdf>

Ian C. McKinley, Esq.

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